

EAST LONDON WASTE AUTHORITY

10 September 2003
(1.00 - 2.30 p.m.)

Present:- Councillor McKenzie (Chair); Councillors Griffin, Sladden, Tebbutt, Twomey and Weinberg

1228 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Talati and Ware.

1229 MINUTES

We have confirmed as correct the minutes of our meeting held on 25 June 2003.

1230 MEMBERSHIP 2003/04

We have noted that Councillors David Griffin and Rustam Talati have been appointed by Newham Council as its representatives on ELWA. The Chair welcomed Councillor Griffin to his first meeting.

1231 PLANNING ISSUES - UPDATE

Further to Minute 1219 of our last meeting, the Executive Director reported on the current position regarding the planning applications submitted by Shanks.east london (the trading name of ELWA Limited).

We are pleased to note that Shanks.east london has been granted planning permissions for the proposed developments at Frog Island, Rainham and Jenkins Lane, Barking, subject to certain conditions and the completion of necessary Agreements. These permissions now complete the package of planning approvals required by Shanks.east london to fully implement its development proposals in accordance with the Integrated Waste Management Service (IWMS) Contract.

In respect of the conditions attached to the planning consents we have:-

- (i) authorised the Managing Director to finalise and complete, on behalf of ELWA, Agreements pursuant to Section 106 of the Town and Country Planning Act 1990 in relation to the Frog Island and Jenkins Lane developments; and
- (ii) asked the Executive Director to provide Members with details of the Section 106 Agreement to be made with Havering Council in respect of the Frog Island development.

1232 IWMS CONTRACT PERFORMANCE - UPDATE

We have received and noted a report from the General Manager on the latest operational and performance issues relating to the IWMS Contract.

The General Manager also advised on the pilot orange bag recycling scheme that has recently been introduced to areas of Barking and Dagenham and Newham. We have asked that further details of this scheme, which is being supported via the London Recycling Fund, be reported to our next meeting.

1233 IWMS CONTRACT AMENDMENTS

The Executive Director presented a report on proposed minor amendments to some of the IWMS Contract documentation arising from a general review and also issues relating to the syndication by the two main sponsoring banks of the debt of Shanks.east london.

Arising from our consideration of the report we have:-

- (i) asked the Executive Director to provide Members with a schedule of the proposed amendments to the IWMS Contract Project Agreement and Operating Contract, with Members to feedback any comments within two weeks;
- (ii) delegated authority to the Managing Director to agree all minor, non-consequential changes to the IWMS Contract documentation; and
- (iii) delegated authority to the Managing Director and the Finance Director to act on ELWA s behalf in respect of the IWMS Contract debt syndication issue including, if appropriate, agreeing any consequential amendments to the contract documents.

1234 ELWA LIMITED ACCOUNTS 2002/03

We have noted a report from the Executive Director on the first year s accounts of ELWA Limited (which trades as Shanks.east london) which cover the period 24 December 2002 to 31 March 2003. The Executive Director also advised that Shanks.east london is currently producing its Annual Environmental Report for 2002/03.

1235 COMMUNICATIONS AND P.R. ISSUES

Further to Minute 1227 of our last meeting, we have received and noted a report from the Office Manager on the range of education and recycling awareness issues associated with the IWMS Contract. We have further noted the programme of planned spending within the Shanks.east london Communications Budget for 2003/04 to support the work being undertaken.

1236 DRAFT STATEMENT OF ACCOUNTS 2002/03

We have approved the draft statement of accounts for ELWA for the 2002/03 financial year as appended to the Finance Director s report.

1237 BUDGETARY CONTROL REPORT TO 31 JULY 2003

The Finance Director presented a budgetary control report for the period 1 April to 31 July 2003 which shows an underspend of £284,000 compared to the profiled budget. We have noted that the underspend has arisen as a result of lower than expected payments to Shanks.east london.

1238 LONDON RECYCLING FUND ROUND 7 BIDS *

The Executive Director tabled a report on two proposed bids for funding under Round 7 of the London Recycling Fund.

The first bid, to be submitted jointly with Shanks.east london, Barking and Dagenham Council and Newham Council, is to extend the pilot orange bag recycling scheme to further areas of those two boroughs via the purchase of two additional refuse collection vehicles. The second bid is to seek capital funds to purchase, fit out and equip a bus which would be converted specifically for waste awareness activities across the four boroughs.

Having noted the financial implications associated with the two bids, we have:-

- (i) agreed that ELWA should co-ordinate the two bids outlined in the report for funding under Round 7 of the London Recycling Fund;
- (ii) authorised ELWA officers, in consultation with the Finance Director, to submit the bids and, if appropriate, to carry out any further negotiations with LRF officers and other partners that may be necessary; and
- (iii) agreed that a further report on the success or otherwise of the two bids be presented in due course.

1239 FUTURE MEETINGS *

We have asked the Office Manager to review the programme of meetings for the remainder of this municipal year in the light of the comments made at the meeting.

1240 EXCLUSION OF THE PUBLIC AND PRESS

We have resolved to exclude the public and press from the remainder of the meeting by reason of the nature of the business to be transacted which includes the information exempted by paragraph 12(a) of Part 1 of Schedule 12A of the Local Government Act 1972.

1241 LEGAL PROCEEDINGS AGAINST ELWA

Further to Minute 1210, we have received and noted a report from the Legal Adviser on the settlement of a claim made against ELWA.

* (The Chair agreed that these items could be considered at the meeting as a matter of urgency under the provisions of Section 100B(4)(b) of the Local Government Act 1972).